

United States District Court
Commonwealth of Massachusetts

Melissa Stonestreet
17 Smith St
Middleboro, MA 02346
Plaintiff

Vs
Law Office of Gary H Kreppel
Gary H Kreppel
1661 Worcester Rd Suite 401
Framingham, MA 01701
Defendant

And
Arrow Financial Services
5996 W. Toughey Ave
Niles, IL 60749
Gary H Kreppel, Attorney
Defendant

FILED
IN CLERKS OFFICE
2009 SEP 23 A 11:13
U.S. DISTRICT COURT
DISTRICT OF MASS.

Motion for Injunction

Pursuant to Rule 65(a)2 Consolidating the Hearing with the Trial on the Merits

Consolidating with hearing seems ideal. Plaintiff would like to pursue this.

Injunction is to prevent plaintiff from further harm from the Defendant Attorney Kreppel. and Arrow Financial Services to take money for judgment.

The Defendants are licensed experience debt collector/ debt Buyers who have an attorney client relationship for the purpose of obtaining judgments on debts within the commonwealth of Massachusetts. .

Arrow Financial Services purchased a credit card debt from Washington Mutual Bank, gave it to attorney Kreppel for Judgment. The plaintiff fought this judgment and believes it is unlawful. Judgment enriches the defendants while harming the plaintiff.

At a hearing in August 2009. Good solid reasons of law to vacate judgment as given, but judge chose to keep because he believes it good and is not aware of Federal law. This has the plaintiff concerned as this is not a valid judgment and the plaintiff fears the courts are allowing to many of these judgments and now believes them to be normal.

Federal law protects credit card debts from going to judgment by any person other than the actual creditor who was damaged by the default. Assigned and transferred are excluded from judgment per FDCPA 803(4) definition of creditor.

The statute of frauds requires contracts, but the court is accepting the monthly statements contained in debt portfolios as the contract. The Rights that are assigned, is the right to try to collect up to the amount of the debt, by any legal means. Does not include Judgment, as that is an illegal means. The creditor has to end the contract with the debt before selling and assigning any debt. This ends the obligation forever from judgment. The defendants are getting these judgments within the district courts. Harm to others will continue.

*****Injunction against the defendants and /or court records to have them frozen. The defendants have harmed the plaintiff with this judgment, lies on affidavits, making the plaintiff look bad to the court, saying the plaintiff is willfully and intentionally refusing to follow a court order, which was not true.

*****To pay this judgment knowing it is unlawful is very hard to do. Plaintiff is now violating the court order. Now arrest, contempt, and likely finding the new employer and attaching wages again can do more harm. He cannot be allowed to attach these wages, and the plaintiff needs and wants this job. Once decision is made by court if judgment is legal plaintiff will pay. To do so before this is an insult to plaintiff.

*****Crimes against property by fraud occurring and will continue within the courts. Defendant Kreppel has a debt team and covers many courts. These judgments need to be stopped and more people need protection. If federal court knows at this time these judgments are unlawful, an injunction to stop judgments should be issued for all. Cease and Desist order given to both defendants.

**** Plaintiff needs to get into court quickly and safely. Jury trial is not being sought. Defendants have no legal defense. Once Judgment is ruled unlawful, guilt is automatic. Proof is contained in the court documents. Arguing validity of evidence is useless, it's the defendants own proceedings..

Plaintiff begs this court to help. Protect the people and the courts from the fraud of the defendants and likely other debt collection teams doing the same.

The trial is to rule on the question of the judgment and monetary award of damages for violating plaintiff for two years for profit. Return of income times three per MGL93A section 9. Plaintiff believes the entire matter can quickly be resolved. Matter should be resolved quickly to prevent future harm to plaintiff and others.

United States District Court

Request for Injunction:

INJUNCTION: FREEZE COURT DOCUMENTS FROM ANY ACTION.

DEFENDANTS- CEASE AND DESIST – from pursuing any action against Plaintiff. Plaintiff fears repercussion should this matter take time without injunction to stop it.

IF COURT Believes it necessary, CEASE AND DESIST all court proceedings for all debtors with Arrow Financial Services named as plaintiff, until matter is resolved and court decides what action to take to prevent harm to others.

Records are at Wareham District court, 2200 cranberry Highway, Wareham, MA
Dockets 200760CV000787, 08SP11, 200860V000865

These documents and dockets should be sent to the federal and be available if needed. Plaintiff has copies, possibly not all. Plaintiff can proceed with copies plaintiff has.

Plaintiff is Pro Se. Cannot afford or find attorney knowledgeable on these laws and willing to take action against another attorney or this matter. Plaintiff is relying on this court to proceed as deems best.

Melissa Stonestreet 9/20/09

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Written by

Beth A. Mooney-agent/parents

Will be presenting/assisting case for plaintiff. It's the agent who knows the FDCPA and says the judgment is unlawful.